

## **REMARKS/ARGUMENTS**

Claims 1-44 are pending in the present application. Claims 10 and 31 were canceled; claims 43 and 44 are amended. The listing of the claims beginning on page 2 of this response replaces all prior versions, and listings, of claims in the application.

Claims 43 and 44 are amended and claim 10 and 31 have been canceled from further consideration in this application. Support for the claim amendments may be found in the Specification of record on page 26 lines 14-26. Applicants are not conceding in this application the subject matter removed from amended claims and/or in canceled claims are not patentable over the art cited by the Examiner. The present claim amendments and cancellations are only for facilitating expeditious prosecution of the application. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

### **I. 35 U.S.C. § 101**

The Examiner has rejected claims 43 and 44 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter.

Claim 43 is representative of claims 43 and 44, and is amended as follows:

A computer program product ~~in a computer-readable medium~~ for user controlled selection of multimedia data streams for an event, the computer program product comprising:

a computer readable recordable-type data storage medium having instructions stored thereon, the instructions comprising:

- first instructions for receiving a set of video streams;
- second instructions for receiving a set of audio streams;
- third instructions for selecting a subset of the set of video streams;
- fourth instructions for selecting a subset of the set of audio streams;
- fifth instructions, responsive to user input to the data processing system, for selecting a plurality of video streams from the video stream subset for the event and one or more audio streams from the audio stream subset for the event,

wherein the selecting step omits ones of the video stream subset while retaining the selected plurality of video streams, and omits ones of the audio stream subset, while retaining other ones of the audio stream subset; and

sixth instructions for presenting each of the retained plurality of video streams concurrently with one another, and also concurrently with the retained other ones of the audio stream subset concurrently.

Claim 43 has been amended to clarify the scope and a type of medium in use as that which is specified in a form of computer readable recordable-type data storage medium. The computer readable recordable-type data storage medium enables storage of instructions thereon and is accordingly distinguished from transmission type media. The claim as amended is directed toward the four categories of statutory subject matter and is therefore in compliance. Therefore the Examiner's rejection under 35 U.S.C. § 101 as being directed towards non-statutory subject matter is overcome.

## **II. Conclusion**

It is respectfully urged that the subject application is patentable over the teaching of Freeman and Allport, when viewed as a whole and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and Examination of this application.

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Respectfully submitted,

/James O. Skarsten/

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